



PATENT

#1/  
ack  
6-2-03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: James D. Kelly *et al.*  
APPLICATION NO.: 10/006,939  
FILING DATE: November 30, 2001  
TITLE: BUS TRANSACTION REORDERING IN A COMPUTER SYSTEM HAVING  
UNORDERED SLAVES  
EXAMINER: Gopal C. Ray  
GROUP ART UNIT: 2181  
ATTY. DKT. NO.: 18602-06222 (P2080R1)

COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

EXPRESS MAIL No. EV342133482US

RESPONSE TO OFFICE ACTION

SIR:

In response to the Office Action mailed February 21, 2003, enclosed are the following:

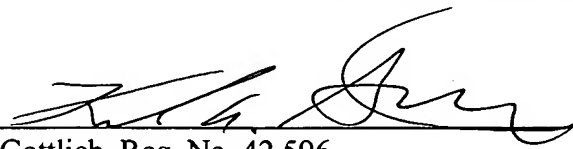
1. Substitute Reissue Application: Declaration by the Inventor (2 documents);
2. Surrender of Original Letters Patent No. 5,996,036; and
3. Terminal Disclaimer over U.S. Patent No. 5,933,612.

RECEIVED

Respectfully submitted,  
JAMES D. KELLY *et al.*

MAY 29 2003  
Technology Center 2100

Dated: May 23, 2003

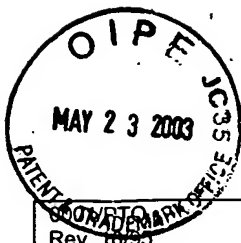
By:   
Kirk A. Gottlieb, Reg. No. 42,596  
Attorney for Applicants  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (415) 875-2414  
Fax: (415) 281-1350

05/27/2003 BSAYAS11 00000074 10006939

01 FC:1251

110.00 0P

18602/06222/SF/5100231.1



#13  
2003-03  
6-2-03  
+

PTO/SB/21 (modified)  
Approved for use through xx/xx/xx, OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> (to be used for all correspondence during pendency of filed application)		Application Number	10/006,939
		Filing Date	November 30, 2001
		First Named Inventor	James D. Kelly et al.
		Group Art Unit Number	2181
		Examiner Name	Gopal C. Ray
Total Number of Pages in This Submission	11*	Attorney Docket Number	18602-06222 (P2080R1)

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input checked="" type="checkbox"/> Substitute Reissue Declarations (2) <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment  <input checked="" type="checkbox"/> Response: [ 1 ] Page <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> One Month Extension of Time <input checked="" type="checkbox"/> Surrender of Original US Letters Patent No. 5,996,036 <input checked="" type="checkbox"/> Terminal Disclaimer over US Patent No. 5,933,612 <input type="checkbox"/> <input type="checkbox"/>
<b>REMARKS:</b> *Original Letters Patent not included in page count	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Kirk A. Gottlieb, Reg. No. 42,596	Dated:	May 23, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Kirk A. Gottlieb	Dated:	May 23, 2003
Express Mail Mailing Number (optional):	EV342133482US		

RECEIVED  
MAY 29 2003  
Technology Center 2100



EXPRESS MAIL NO. EV342133482US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-02) (Modified)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>FEE TRANSMITTAL</b> <b>for FY 2003</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>	
		Application Number	10/006,939
		Filing Date	November 30, 2001
		First Named Inventor	James D. Kelly <i>et al.</i>
		Examiner Name	Gopal C. Ray
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	2181
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 220.00		Attorney Docket No.	18602-06222 (P2080R1)

RECEIVED

MAY 29 2003

Technology Center 2100

<b>METHOD OF PAYMENT</b> (check all that apply)				<b>FEE CALCULATION</b> (continued)																																																																																																																																																																																																			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: 19-2555 Deposit Account Name: Fenwick & West LLP The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																																			
<b>1. BASIC FILING FEE</b>				<table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Code</th><th>Fee (\$)</th><th>Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="4"><b>SUBTOTAL (1)</b></td><td><b>(\$)</b></td><td><b>0</b></td></tr></tbody></table>				Large Entity		Small Entity		Fee Description	Fee Paid	Code	Fee (\$)	Code	Fee (\$)			1001	750	2001	375	Utility filing fee		1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provisional filing fee		<b>SUBTOTAL (1)</b>				<b>(\$)</b>	<b>0</b>																																																																																																																																																
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																																		
Code	Fee (\$)	Code	Fee (\$)																																																																																																																																																																																																				
1001	750	2001	375	Utility filing fee																																																																																																																																																																																																			
1002	330	2002	165	Design filing fee																																																																																																																																																																																																			
1003	520	2003	260	Plant filing fee																																																																																																																																																																																																			
1004	750	2004	375	Reissue filing fee																																																																																																																																																																																																			
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																																			
<b>SUBTOTAL (1)</b>				<b>(\$)</b>	<b>0</b>																																																																																																																																																																																																		
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>				<table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Code</th><th>Fee (\$)</th><th>Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>**Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="4"><b>SUBTOTAL (2)</b></td><td><b>(\$)</b></td><td><b>0</b></td></tr></tbody></table>				Large Entity		Small Entity		Fee Description	Fee Paid	Code	Fee (\$)	Code	Fee (\$)			1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>				<b>(\$)</b>	<b>0</b>																																																																																																																																																
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																																		
Code	Fee (\$)	Code	Fee (\$)																																																																																																																																																																																																				
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																																			
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																																																																			
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																																																			
1204	84	2204	42	**Reissue independent claims over original patent																																																																																																																																																																																																			
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																			
<b>SUBTOTAL (2)</b>				<b>(\$)</b>	<b>0</b>																																																																																																																																																																																																		
<b>4. OTHER FEES</b>				<table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Code</th><th>Fee (\$)</th><th>Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td>110</td></tr><tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(g)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify) <u>Terminal Disclaimer Over USPN 5,933,612</u></td><td></td><td>110</td></tr><tr><td colspan="4"><b>SUBTOTAL (3)</b></td><td><b>(\$)</b></td><td><b>220</b></td></tr></tbody></table>				Large Entity		Small Entity		Fee Description	Fee Paid	Code	Fee (\$)	Code	Fee (\$)			1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month	110	1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(g)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) <u>Terminal Disclaimer Over USPN 5,933,612</u>					110	<b>SUBTOTAL (3)</b>				<b>(\$)</b>	<b>220</b>
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																																		
Code	Fee (\$)	Code	Fee (\$)																																																																																																																																																																																																				
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																																			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																			
1053	130	1053	130	Non-English specification																																																																																																																																																																																																			
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																																			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																			
1251	110	2251	55	Extension for reply within first month	110																																																																																																																																																																																																		
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																																																			
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																																			
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																																			
1255	1,970	2255	985	Extension for reply within fifth month																																																																																																																																																																																																			
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																																			
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																																			
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																																			
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																			
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																			
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																																																			
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																																			
1502	470	2502	235	Design issue fee																																																																																																																																																																																																			
1503	630	2503	315	Plant issue fee																																																																																																																																																																																																			
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																			
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)																																																																																																																																																																																																			
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																			
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																			
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																			
1801	750	2801	375	Request for Continued Examination (RCE)																																																																																																																																																																																																			
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																			
Other fee (specify) <u>Terminal Disclaimer Over USPN 5,933,612</u>					110																																																																																																																																																																																																		
<b>SUBTOTAL (3)</b>				<b>(\$)</b>	<b>220</b>																																																																																																																																																																																																		
<b>SUBMITTED BY</b>				<b>Complete (if applicable)</b>																																																																																																																																																																																																			
Name (Print/Type)		Kirk A. Gottlieb		Registration No.		42,596																																																																																																																																																																																																	
Signature				Telephone (415)		875-2414																																																																																																																																																																																																	
Date		May 23, 2003		Date		May 23, 2003																																																																																																																																																																																																	